



United States  
Department of  
Agriculture

February 11, 2002

Marketing and  
Regulatory  
Programs

Agricultural  
Marketing  
Service

P.O.Box 96456  
Washington, DC  
20090-6456

## ***NOTICE TO THE TRADE***

Due to a number of recent incidents, contractors are reminded that per all Announcements **under** Transportation, **all changes**, to include change in final destination, requested by the end user (State Agency or warehouse) and accepted by the contractor are not incorporated into the government contract. Changes, if accepted by the contractor, should be billed to the party involved in the negotiated change. Contractors are not required to negotiate changes to the contract and may refuse any requested change by the end user.

All announcements, **under** Invoices and Payment, requires a **signed** copy of the commercial Bill of Lading (BOL) or other commercial receipt evidencing delivery and receipt of the product **to the destination specified in the contract**. Contractors are advised to obtain acceptance at the contract destination point prior to negotiating any change with the end user. Bill of Lading or commercial receipt should indicate time of arrival at contract destination point, quantity and condition of product arriving at contract destination point, and information on any continuing negotiated action.

In the event of a dispute regarding government contract requirements, the contractor should immediately contact the Agricultural Market Service, Commodity Procurement Branch, Fruit & Vegetable Programs at (202) 720-4517 for resolution. The Contractor should advise the answering party that a contract dispute exists and immediate action by a Fruit & Vegetable Programs Contract Specialist is required. The Contract Specialist may, if required, initiate a teleconference between the Contractor, the Contract Specialist, Food Nutrition Service and the state agency to resolve the dispute.

Per all Announcements, **under** Read and Understand All Contract Documents Carefully, offers are cautioned that statements made by persons other than the Contracting Officer are not binding on the Government unless confirmed in writing by the Contracting Officer.

Sincerely,

Susan E. Proden  
Chief  
Commodity Procurement Branch  
Fruit and Vegetable Programs

